



FEDERAL ELECTION COMMISSION
Washington, DC 20463

SENSITIVE

MEMORANDUM

TO: Commissioners
Staff Director
General Counsel

FROM: Office of the Commission Secretary *MWD*

DATE: October 9, 2003

SUBJECT: Statement of Reasons for MUR 5307
By Chair Ellen L. Weintraub,
Vice Chairman Bradley A. Smith,
Commissioners David M. Mason,
Danny L. McDonald, and Michael E. Toner

The attached document is being circulated for a 48-hour review prior to public release. Absent objection, the Office of General Counsel will include this statement in the public record file in this case.

cc: Vincent Convery

Attachment

2003-10-10 10:04:23



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

In the Matter of

Friends for a Democratic White House and)
Jonathon S. Mosier, as treasurer)
Michigan Democratic State Central Committee and)
Alan Helmkamp, as treasurer)

MUR 5307

STATEMENT OF REASONS

CHAIR ELLEN L. WEINTRAUB, VICE-CHAIRMAN BRADLEY A. SMITH, COMMISSIONERS
DAVID M. MASON, DANNY L. McDONALD, AND MICHAEL E. TONER

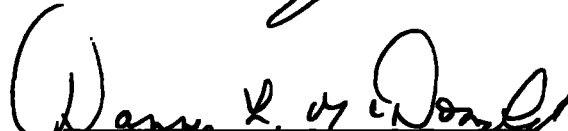
Rusty Hills, Chairman of the Michigan Republican State Committee, filed a complaint on October 1, 2002, alleging that Friends for a Democratic White House PAC, Inc. and its treasurer ("the Committee") qualified as a political committee under the Federal Election Campaign Act of 1971, as amended, yet failed to register. 2 U.S.C. § 431(4)(A); 11 C.F.R. §§ 100.5 and 102.1(d). In fact, the public record discloses that the Committee filed its Statement of Organization on November 6, 2000, before making the contribution referenced in the complaint (\$5,000 to the Michigan Democratic State Central Committee on November 22, 2000). Furthermore, the Committee's 2000 30-Day Post-General Report, its first report, reveals no activity that would have required earlier registration. In addition, to the extent the complaint can be read to allege a violation of the Act's contribution limitations, the Commission determined that there is no basis for the allegation because the Committee's \$5,000 contribution to the Michigan Democratic State Central Committee does not exceed the limitation in 2 U.S.C. § 441a(a)(1)(C). Thus, although this matter was the subject of a recommendation from the Office of the General Counsel to take no action because of its lower significance relative to other pending matters, the Commission, by a vote of 5-0,¹ determined instead to find no reason to believe that the respondents violated the contribution limitations or registration provisions of the Act and closed the file in this matter.

October 9, 2003


Ellen L. Weintraub, Chair


Bradley A. Smith, Vice Chairman


David M. Mason, Commissioner


Danny L. McDonald, Commissioner


Michael E. Toner, Commissioner

¹ Commissioner Thomas was not present.